GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Surprise Check conducted over the Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District on 06.05.2017 – Allegations of Corruption – Common disciplinary Proceedings initiated – Departmental Proceedings Under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules 1991 – Article of Charges framed against Sri V. Chenna Kesavulu, Constable, Prohibition & Excise Dept., -Orders– Issued.

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Industries & Commerce (Vigilance) Department

G.O.Rt.No.220 Dated:21/12/2021

Read the following:

Ref:- 1.From the DG, ACB, Vijayawada, detailed surprise Check Report vide Rc.No.20/DES-CIU/2017; Dt:03.10.2018.
2. Memo No. INC01-MG/1/2019-VIG, Dt:22/05/2019.
3. From the DG, ACB, Vijayawada, letter vide Rc. No. 20/DES-CIU/2017; Dt:30.07.2021.
4. G.O.Rt.No.218; Industries & Commerce(Vig) Dept, dt:21.12.2021

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ORDER:-

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, in the reference 4th read above, it is considered necessary to hold an enquiry against Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R. Nellore District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges as Annexure-I and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed as Annexure-II. A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed as Annexures III to IV.

3. Sri V. Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District is directed to submit his written statement of defence within ten days from the date of receipt of this order and also to state whether he desires to be heard in person.

4. Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept. is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control, and Appeal) Rules, 1991 or orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that

**(P.T.O)**

it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District, (w.e, Annexures-I to IV) through the Revenue (Prohibition & Excise) Dept (with a request to serve the order on the individual and send the served copy with dated signature to Government)

**Copy to**

The Director of Mines & Geology, B Block (Vth and VIth Floors), Anjaneya Towers, Ibrahimpatnam, Vijayawada, Krishna District.

The Revenue (Prohibition & Excise) Dept, AP Secretariat.

The Commissioner of Prohibition & Excise, Excise Complex, RS No.88-2B,Sai Vihar Apartments, Poultry Farm Road, Prasadampadu (V),Vijayawada-521108, Amaravati, Andhra Pradesh.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

Sf/Sc

Stock File

//FORWARDED:: BY ORDER//

K. Roopa
SECTION OFFICER

## ANNEXURE-I

**STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI V.CHENNA KESAVULU, CONSTABLE, PROHIBITION & EXCISE DEPARTMENT, INTEGRATED CHECK POST, B.V.PALEM, TADA, S.P.S.R.NELLORE DISTRICT.**

That Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District was appointed as Police Constable (APSP) in 9th Battalion APSP, Venkatagiri on 15.10.1995. Later, he was appointed as Constable in Proh. & Excise Department on 30.05.2009 and worked at Prohibition & Excise Station, Anakapalli, Visakhapatnam District. Later, he was transferred and posted to Prohibition & Excise Constable, Integrated check post, B.V.Palem, Tada, S.P.S.R. Nellore District and worked there from 25.10.2015 to till the date of surprise check on 06.05.2017. While functioning in the aforesaid capacity on 06.05.2017 committed grave misconduct in as much as:

**Charge:**

That "Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District has not attended his duties from 01.30 hours to 07.30 hours on 06.05.2017 at the time of Surprise Check without the sanction of any casual leave or prior permission and had un-authorized absent for his duties, and the Excise Department counter in Integrated check post, Tada, S.P.S.R.Nellore District was found closed and thereby violated Rule 4(i) of A.P. Civil Services (Conduct) Rules, 1964".

Thus, Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R. Nellore District by his above-mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1), 3(2) of A.P. Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

## ANNEXURE-II

**STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI V.CHENNA KESAVULU, CONSTABLE, PROHIBITION & EXCISE DEPARTMENT, INTEGRATED CHECK POST, B.V.PALEM, TADA, S.P.S.R.NELLORE DISTRICT.**

That Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District was appointed as Police Constable (APSP) in 9th Battalion APSP, Venkatagiri on 15.10.1995. Later, he was appointed as Constable in Proh. & Excise Department on 30.05.2009 and worked at Prohibition & Excise Station, Anakapalli, Visakhapatnam District. Later, he was transferred and posted to Prohibition & Excise Constable, Integrated check post, B.V.Palem, Tada, S.P.S.R.Nellore District and worked there from 25.10.2015 to till the date of surprise check on 06.05.2017. His date of birth is on 25.12.1972 and he is due to retire on attaining the age of superannuation on 30.11.2032. He is drawing basic pay of Rs.33,220/- in the time scale pay of Rs.21230-63010. He is here in after referred to as Government Servant.

**Charge:**

That "Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District has not attended his duties from 01.30 hours to 07.30 hours on 06.05.2017 at the time of Surprise Check without the sanction of any casual leave or prior permission and had un-authorized absent for his duties, and the Excise Department counter in Integrated check post, Tada, S.P.S.R.Nellore District was found closed and thereby violated Rule 4(i) of A.P. Civil Services (Conduct) Rules, 1964".

That on credible information, a Surprise check was conducted on Integrated check post, B.V.Palem, Tada, S.P.S.R.Nellore District, on 06.05.2017 from 01.30 hours to 07.30 hours in the presence of Mediators.

That during the Surprise Check conducted on integrated check post, B.V.Palem, Tada, S.P.S.R.Nellore District, the DSP, ACB, CIU verified the Attendance Register. On perusal of the attendance register, it is noticed that the following staff details i.e.1) Sri.G.Ravi kumar, P&E Head Constable 2) Sri V.Chenna Kesavulu, P&E Constable, 3) Sri. M.V.Ramanaiah, P&E Constable, 4) Sri.J.J.S.Kumar, P&E Constable, they have signed in Attendance Register on 06.05.2017, but they did not attend their duties and found absent for duties without prior sanction of leave or permission from the competent authority from 01.30 hours to 07.30 hours on 06.05.2017 at the time of surprise check and closed the Prohibition & Excise Department counter in Integrated Check Post, Tada, S.P.S.R.Nellore District although he was supposed to discharge his duties in the check post from 09.00 hours of 05.05.2017 to 09.00 hours of 06.05.2017. The DSP, ACB, CIU seized the Attendance Register in the presence of mediators for taking further action.

That during Surprise check, it is noticed that the Government Servant has not attended his duties from 01.30 hours to 07.30 hours on 06.05.2017 at the time of Surprise Check without the sanction of any casual leave or permission and he had un-authorized absent for his duties and closed the Excise Department counter in Integrated check post, Tada, S.P.S.R. Nellore District.

That "Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R.Nellore District has not attended his duties from 01.30 hours to 07.30 hours on 06.05.2017 at the time of Surprise Check without the sanction of any casual leave or prior permission and had un-authorized absent for his duties, and the Excise Department counter in Integrated check post, Tada, S.P.S.R. Nellore District was found closed and thereby violated Rule 4(i) of A.P. Civil Services (Conduct) Rules, 1964".

Thus, Sri V.Chenna Kesavulu, Constable, Prohibition & Excise Dept., Integrated Check-post, B.V.Palem, Tada, S.P.S.R. Nellore District by his above-

mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1), 3(2) of A.P. Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action for major penalty.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

**ANNEXURE-III**
**LIST OF DOCUMENTS**

**LIST OF DOCUMENTS BY WHICH ARTICLE OF CHARGES FRAMED AGAINST SRI V.CHENNA KESAVULU, CONSTABLE, PROHIBITION & EXCISE DEPARTMENT, INTEGRATED CHECK POST, B.V.PALEM, TADA, S.P.S.R.NELLORE DISTRICT.**

1) Attested copy of Mediators Report dated 06.05.2017 in 01-SC-ACB-CIU-VJA/2017 of ACB, CIU, A.P., Vijayawada.

2) Attested copy of Duty Register. (Attendance Register)

3) Any other document to be filed at the time of enquiry.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

## ANNEXURE – IV

## LIST OF WITNESSES

**MEMO OF EVIDENCE AGAINST SRI V.CHENNA KESAVULU, CONSTABLE, PROHIBITION & EXCISE DEPARTMENT, INTEGRATED CHECK POST, B.V.PALEM, TADA, S.P.S.R.NELLORE DISTRICT.**

| S.No. | Name and address of witness | Gist of the statement. |
|---|---|---|
| 1) | Sri Nallamakula Sreenivasulu s/o Muni Krishnaiah,55 yrs., Mandal Educational Officer, Naidupeta, Nellore Dist., r/o Door No.6-12-69/3, SBI colony, Naidupeta, Nellore, Cell.No.9908703135. (Mediator) | He is one of the Mediators and he speaks about their presence during the surprise check, acting as mediators, drafting mediators report, seized Attendance Register, Duty Register, Personal Cash Register and other records and unaccounted cash and seized amount from document writers and etc., facts |
| 2) | Sri Banala Muni Ratnam s/o Pullachari, 47 yrs., Head Master, ZPH School, Annamedu, Naidupeta Mandal, Nellor Dist., r/o 6-5-38, Balaji Garden, Naidupeta, Nellore. Cell.No.7995503541. (Mediator) | He is one of the Mediators and he speaks about their presence during the surprise check, acting as mediators, drafting mediators report, seized Attendance Register, Duty Register, Personal Cash Register and other records and unaccounted cash and seized amount from document writers and etc., facts. |
| 3) | Sri Gangapatnam Anand S/o Ramanayya, 50 yrs., School Assistant, ZPH School, Molakalapudi, Chittimuri Mandal, Nellore Dist., r/o Door No.6-5-207/1, Teachers Colony, Naidupetaa, Nellore District. (Mediator) | He is one of the Mediators and he speaks about their presence during the surprise check, acting as mediators, drafting mediators report, seized Attendance Register, Duty Register, Personal Cash Register and other records and unaccounted cash and seized amount from document writers and etc., facts. |
| 4) | Sri Guntamadugu Ravi Kumar s/o Ramachandra Raju, 43 yrs., Language Pandit, MPUP School, Bhimavaram, Naidupeta Mandal, r/o Door No.5-2-265, Pitchireddytopu, Naidupeta, Nellore District, Cell.No.9490250450. (Mediator) | He is one of the Mediators and they speak about their presence during the surprise check, acting as mediators, drafting mediators report, seized Attendance Register, Duty Register, Personal Cash Register and other records and unaccounted cash and seized amount from document writers and etc., facts. |
| 5) | Sri K.Satish Kumar, Inspector, ACB, CIU, A.P., Vijayawada. | He is the ACB official and he speaks about his assistance to I.O. at the time of surprise check at Integrated check post, Tada in presence of Mediators, Examination of witnesses, seizure of cash, documents and investigation, etc., facts. |
| 6) | Sri SK.Gaffor, Inspector of Police, CIU, ACB, A.P., Vijayawada. | He is the ACB official and he speaks about his assistance to I.O. at the time of surprise check at Integrated check post, Tada in presence of Mediators, Examination of witnesses, seizure of cash, documents and investigation, etc., facts. |
| 7) | Sri.Parameswara Reddy, DSP, ACB, CIU, A.P., Vijayawada. | He is the ACB official and he speaks about his assistance to I.O. at the time of surprise check at Integrated check post, |

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|---|---|---|
| | | Tada in presence of Mediators Examination of witnesses, seizure of cash, documents and investigation, etc., facts. |
| 8) | Sri S.V.V.Prasada Rao, Dy.Supdt of Police, CIU, ACB, A.P., Vijayawada. | He speaks about the conducting of surprise check in presence of Mediators Examination of witnesses, seizure of cash, documents and investigation, etc., facts. |

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT